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SUBJECT: CORRECTED COPY: THIRD CASE OF RELEASED MURDERER SHOCKS CAPE VERDEAN SOCIETY

REF: 08 Praia 227

¶1. (SBU) According to the local press, an individual convicted of triple murder in Holland and sentenced to 25 years in a Cape Verdean jail, is set to be released due to a judicial error. The prisoner, who is currently being held awaiting appeal, by law must be released if the Supreme Court of Justice (SCJ) does not submit a final ruling on his appeal by the legal deadline, reportedly at the end of this week. Post has been told that the most senior levels of law enforcement are actively engaged in this matter, working furiously to ensure that this exceptionally ruthless and dangerous convict is not released.

¶2. (U) If this convicted murderer is released, this would be the third such early release in recent weeks, all due to similar failures by the judiciary to act within the timeframes stipulated by law. The first case involved three judiciary police officers accused of stealing 120 kilograms of cocaine from an evidence locker, who were released while awaiting trial.

The second case, which scandalized Cape Verdean society, involved the release of two individuals convicted of the 2007 murders of two Italian tourists. Both are now back in jail, reportedly at their own request, after receiving numerous death threats following their release. In the meantime, the Supreme Court acted has quickly to decide the pending appeal, subsequently upholding the original convictions while reducing the sentences from 25 to 24 years imprisonment.

¶3. (U) COMMENT. The brutal 2007 murders of two vacationing female Italian tourists shocked this country and made news internationally, damaging Cape Verde's reputation in the highly lucrative Italian tourism market. The release of their murderers on a technicality shocked Cape Verdean society and created an uproar. The Supreme Court is scrambling to remedy the situation before public and political pressure becomes too great. That another criminal might slip through the judicial cracks is deeply worrisome and only raises more questions about the state of judicial affairs in Cape Verde, and the significant reforms needed before real change will be seen in the justice system. Information about planned reforms will be reported septel. END COMMENT

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